

DECISION NOTICE
STIPEK FISHING ACCESS SITE ACQUISITION

Prepared by Region 7
Montana Fish, Wildlife & Parks
P.O. Box 1630
Miles City, MT 59301
(406) 234-0900

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PROPOSAL

Montana Fish, Wildlife & Parks (FWP) is proposing to purchase a 35-acre property to establish the Stipek Fishing Access Site (FAS) along the lower Yellowstone River. The property is located eight miles north of Glendive near the abandoned town site of Stipek.

The acquisition is being proposed to secure public access to this stretch of the Yellowstone River, and to access various publicly owned river islands and a landlocked section of State school trust land almost directly across the river. The acquisition will also protect, enhance and preserve the riparian habitats associated with the Yellowstone River and will support a variety of public recreational activities. The site provides an ideal location as the only public river access in the middle of the 22-mile reach between Black Bridge FAS and the Intake FAS.

MONTANA ENVIRONMENTAL POLICY ACT (MEPA) PROCESS

The proposed land acquisition was the subject of the “Draft Environmental Assessment: Stipek Fishing Access Site Proposed Acquisition”, which described the project and analyzed its potential effects on the human and natural environment. The environmental assessment, conducted pursuant to the Montana Environmental Policy Act (MEPA), was released to the public on December 17, 2008, and open to comment for 30 days through January 16, 2009. The environmental assessment found that no significant adverse impacts would result from the land acquisition.

SUMMARY OF PUBLIC COMMENTS

FWP received three public comments, in the form of e-mail responses, to the environmental assessment. Two comments supported FWP acquiring the property. One comment opposed the acquisition based on concerns that the asking price for the property was too high; that there would be problems related to converting the two-party private access road into a public roadway; and that dust, noise and traffic associated with public site use would affect the neighbors and wildlife.

Prior to the formal public comment period, FWP representatives also discussed the proposal with the Dawson County Commissioners in late-September 2008. The Commissioners did not voice any concerns with the proposed action.

DISCUSSION

FWP believes that acquisition of the Stipek Fishing Access Site will provide exceptional public recreational benefits to anglers, hunters and other recreationists who will use the property and float the lower Yellowstone River. The present situation, with no public river access between Glendive and Intake, represents a significant barrier to the public use and enjoyment of the lower Yellowstone River and the many public lands along this river reach.

FWP also believes that the opportunity to acquire the Stipek property and maintain it in an undeveloped state is important to conserving the area's wildlife habitat and recreational values in a manner compatible with the surrounding agricultural landscape. Approximately 75% of the Yellowstone River Valley and associated riparian and shrub grassland habitats have been developed for agriculture and livestock production purposes. Recently, private interests have started buying up land associated with the Yellowstone River for recreational purposes. This often results in termination of public access and heightened game-damage problems on neighboring farms and ranches. Unless actions are taken to preserve the remaining undeveloped or moderately developed areas along the Yellowstone River, much of the land that presently provides habitat, scenic values and public access may be converted to more intensive uses and closed to public use.

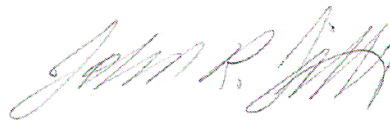
FWP proposes to purchase the Stipek property for the price of \$164,000, which represents the property value as determined by independent appraisal. The landowner has accepted this price, which is about 8% below the listed price.

FWP is committed to establishing and maintaining good neighbor relations. To that end FWP will work with Dawson County to establish and enforce a safe and prudent speed limit for the access road that leads to the site. FWP will also work with the railroad authorities to improve the existing crossing that connects the county road to the fishing access site roadway. Additionally, FWP will monitor public use of the Stipek FAS, and will work to mitigate any potential adverse effects that might occur to the site or to neighboring properties. In particular, FWP will address potential issues of dust, noise and traffic. FWP will also manage weeds onsite in accordance with its county weed management plan for fishing access sites and other FWP land.

FWP has begun discussion with the owner of the other half-interest in the 2.36-acre roadway strip (on the east side of the railroad tracks) in which FWP will acquire an undivided half-interest through this land purchase. The goal of the discussion is to address concern over the conversion of this roadway into a public access to the Stipek Fishing Access Site. If the potential for an additional FWP land acquisition is favored by the parties, that proposal would be brought to the public through an environmental assessment with an associated opportunity for public comment.

DECISION

After careful review of this proposal, and in consideration of the significant public recreational benefits that will derive from FWP's land purchase and of the corresponding public support, it is my recommendation that Montana Fish, Wildlife and Parks proceed to purchase the Stipek Fishing Access for \$164,000. Prior to completing the purchase, FWP will take the project to the Montana Fish, Wildlife and Parks Commission for its review and approval. If approved by the Commission, then FWP will bring the project to the State Land Board for its required final approval.



John Little
Region 7 Parks Manager
Miles City, Montana
June 22, 2009